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DOCKET NO.: C1039.70042US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krieg et al.
Serial No.: 09/630,319
Confirmation No.: 5464
Filed: July 31, 2000
For: METHODS FOR TREATING AND PREVENTING
INFECTIOUS DISEASE
Examiner: Jane J. Zara
Art Unit: 1635

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 25 day of August, 2004.


Kristin J. Ketelhut

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The following are remarks concerning the other information cited:

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.


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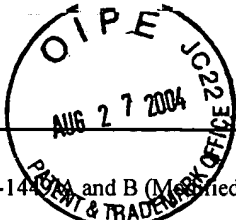
An early and favorable action is hereby requested.

Respectfully submitted,
Krieg et al., Applicant

By: 

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Docket No.: C1039.70042US00
Date: August 25 2004
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FORM PTO-1485A and B (MAY 2003) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 09/630,319		ATTY. DOCKET NO.: C1039.70042US00	
				FILING DATE: July 31, 2000		CONFIRMATION NO.: 5464	
				APPLICANT: Krieg et al.			
				GROUP ART UNIT: 1635		EXAMINER: Jane J. Zara	
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U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
	C44	ABED et al., Interferon-gamma regulation of B lymphocyte differentiation: activation of B cells is a prerequisite for IFN-gamma-mediated inhibition of B cell differentiation. Cell Immunol. 1994 Feb;153(2):356-66.		
	C45	BAUER et al., Bacterial CpG-DNA triggers activation and maturation of human CD11c-, CD123+ dendritic cells. J Immunol. 2001 Apr 15;166(8):5000-7.		
	C46	BAUER et al., DNA activates human immune cells through a CpG sequence-dependent manner. Immunology. 1999 Aug;97(4):699-705.		
	C47	CARSON et al., Oligonucleotide adjuvants for T helper 1 (Th1)-specific vaccination. J Exp Med. 1997 Nov 17;186(10):1621-2. Review.		
	C48	CHACE et al., Bacterial DNA-induced NK cell IFN-gamma production is dependent on macrophage secretion of IL-12. Clin Immunol Immunopathol. 1997 Aug;84(2):185-93.		
	C49	DUNN et al., The three Es of cancer immunoediting. Annu Rev Immunol. 2004;22:329-60. Review.		
	C50	DURHAM et al., Immunotherapy and allergic inflammation. Clin Exp Allergy. 1991 Jan;21 Suppl 1:206-10.		
	C51	FRISSORA et al., IFN-gamma-mediated inhibition of antigen receptor-induced B cell proliferation and CREB-1 binding activity requires STAT-1 transcription factor. Eur J Immunol. 2003 Apr;33(4):907-12.		
	C52	KLINMAN et al., Immunotherapeutic applications of CpG-containing oligodeoxynucleotides. Drug News Perspect. 2000 Jun;13(5):289-96.		
	C53	LEIBSON et al., Role of gamma-interferon in antibody-producing responses. Nature. 1984 Jun 28-Jul 4;309(5971):799-801.		
	C54	LOTZ et al., Effects of recombinant human interferons on rheumatoid arthritis B lymphocytes activated by Epstein-Barr virus. J Rheumatol. 1987 Feb;14(1):42-5.		
	C55	MARDH et al., Alternaria alternata as a cause of opportunistic fungal infections in man. Scand J Infect Dis Suppl. 1978;(16):36-40.		
	C56	MARTIN-OROZCO et al., Enhancement of antigen-presenting cell surface molecules involved in cognate interactions by immunostimulatory DNA sequences. Int Immunol. 1999 Jul;11(7):1111-8.		
	C57	METZGER et al., Enhancement of humoral immunity by interleukin-12. Ann N Y Acad Sci. 1996 Oct 31;795:100-15.		



FORM PTO-1449/A (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 09/630,319		ATTY. DOCKET NO.: C1039.70042US00	
				FILING DATE: July 31, 2000		CONFIRMATION NO.: 5464	
				APPLICANT: Krieg et al.			
				GROUP ART UNIT: 1635		EXAMINER: Jane J. Zara	
Sheet	2	of	2				

C58	MOND et al., Recombinant interferon-gamma inhibits the B cell proliferative response stimulated by soluble but not by Sepharose-bound anti-immunoglobulin antibody. J Immunol. 1985 Oct;135(4):2513-7.		
C59	PISETSKY et al., Immunological properties of bacterial DNA. Ann N Y Acad Sci. 1995 Nov 27;772:152-63. Review.		
C60	REYNOLDS et al., Inhibition of B lymphocyte activation by interferon-gamma. J Immunol. 1987 Aug 1;139(3):767-73.		
C61	SIDMAN et al., Gamma-interferon is one of several direct B cell-maturing lymphokines. Nature. 1984 Jun 28-Jul 4;309(5971):801-4.		
C62	STEIN et al., Antisense oligonucleotides as therapeutic agents--is the bullet really magical? Science. 1993 Aug 20;261(5124):1004-12. Review.		
C63	WERNETTE et al., CpG oligodeoxynucleotides stimulate canine and feline immune cell proliferation. Vet Immunol Immunopathol. 2002 Jan 15;84(3-4):223-36.		
C64	ZHAO et al., Pattern and kinetics of cytokine production following administration of phosphorothioate oligonucleotides in mice. Antisense Nucleic Acid Drug Dev. 1997 Oct;7(5):495-502.		

EXAMINE R	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]



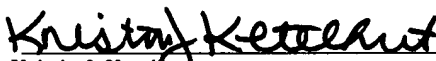
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Kristin J. Ketelhut

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement
- PTO Form 1449 with cited references
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Krieg et al., Applicant

By:



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